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13 UNITED STATES OF AMERICA
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UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

16 UNITED STATES OF AMERICA,	No. CR 87-422-JAK-3,17
17 Plaintiff,	<u>JOINT STATUS REPORT</u>
18 v.	
19 RAFAEL CARO QUINTERO, et al.,	
20 Defendants.	
21	

22 Pursuant to the Court's Orders of January 4 and January 29, 2018
23 (CR 4276, 4290), the parties hereby file this Joint Status Report
24 stating their "respective positions as to whether the proceedings
25 related to the motions affect counsel's ability to proceed to trial
26 before April 25, 2018." (CR 4276.)

27 The parties conferred by e-mail on February 27, 2018; their
28 respective positions are as follows.

1 **I. Government's Position**

2 1. As this Court has found and ruled in prior orders in this
3 case, "the age, facts, and complexity of this case" are among the
4 "factors resulting from the passage of time" that rendered
5 enlargement of time under the Speedy Trial Act appropriate in this
6 case. See 18 U.S.C. § 3161(e); (see also, e.g., CR 4208, 4209,
7 4275.)

8 2. Consistent with the Court's Order of February 7, 2018 (CR
9 4297), grand jury transcripts have been produced to defendants.

10 3. The defendants are in possession of a proposed stipulation
11 for, and order concerning, the production and use of confidential and
12 other sensitive discovery. The government expects that these
13 documents (or an ex parte proposed order concerning the same) will be
14 filed by March 9, 2018.

15 4. The March 1, 2018 filing of defendants' motion(s) to
16 dismiss the indictment — through the disposition of the same — will
17 provide an additional basis for delay under the Speedy Trial Act.
18 § 3161(h)(1)(D).

19 5. The government is expeditiously working to review,
20 digitize, and produce additional discovery in this case, which
21 process has presented logistical and other challenges that have been
22 remarkable relative to the mine run of cases. The government
23 therefore anticipates that the ends of justice will be served by
24 further continuances pursuant to the Speedy Trial Act. See, e.g.,
25 § 3161(h)(7)(A).

26 **II. Defendants' Position**

27 1. While defendants do not waive any Speedy Trial claims based
28 on prior continuances, they recognize that April 25, 2018 is not

1 currently a realistic trial date. At this time, defendants have
2 received minimal discovery from the government, consisting of
3 transcripts of previous trials and DNA testing results performed
4 recently. That evidence excludes defendant Matta-Ballesteros and is
5 inconclusive as to Defendant Verdugo. However, based on defense
6 investigation to date, and what the government has represented it
7 will produce in the near future, the defendants believe they will
8 require additional time to prepare for trial in this matter.

9
10 Dated: February 27, 2018

Respectfully submitted,

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12 United States Attorney

13 LAWRENCE S. MIDDLETON
14 Assistant United States Attorney
Chief, Criminal Division

15 /s/ APS

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17 JOANNA M. CURTIS
ADAM P. SCHLEIFER
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18 Attorneys for Plaintiff
19 UNITED STATES OF AMERICA

20 Dated: February 27, 2018

/s/ by email authorization

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22 Attorney for Defendant
23 RENE MARTIN VERDUGO-URQUIDEZ

24 Dated: February 27, 2018

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27 JUAN RAMON MATTA-BALLESTEROS
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